



Council Minutes

October 27, 7:00 PM

Council Chamber, Anthony Roman Markham Civic Centre

Meeting No. 21

Alternate formats for this document are available upon request

Roll Call

Mayor Frank Scarpitti, Deputy Mayor Jack Heath, Regional Councillor Jim Jones, Regional Councillor Joe Li, Regional Councillor Nirmala Armstrong, Councillor Valerie Burke, Councillor Alan Ho, Councillor Don Hamilton, Councillor Karen Rea, Councillor Colin Campbell, Councillor Amanda Collucci, Councillor Logan Kanapathi, Councillor Alex Chiu.

Staff

Andy Taylor, Chief Administrative Officer
Catherine Conrad, City Solicitor
Jim Baird, Commissioner of Development Services
Trinela Cane, Commissioner of Corporate Services
Brenda Librecz, Commissioner of Community and Fire Services
Joel Lustig, Treasurer
Dennis Flaherty, Director of Communications and Community Relations
John Wong, Technology Support Specialist
Raj Raman, Mayor's Chief of Staff
Kimberley Kitteringham, City Clerk
Martha Pettit, Deputy City Clerk
Bill Snowball, Fire Chief
Phil Alexander, Deputy Fire Chief
Jane Taylor, Manager of Employee and Labour Relations, Health and Safety

The regular meeting of Council convened at 7:04 PM on October 27, 2015 in the Council Chamber. Mayor Frank Scarpitti presided.

1. DISCLOSURE OF PECUNIARY INTEREST

(1) None declared.

2. MINUTES

- (1) COUNCIL MINUTES – OCTOBER 13 AND 14, 2015
[Minutes](#)

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

- 1) That the Minutes of the Council Meeting held on October 13 and 14, 2015, be adopted.

Carried

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS

There were no delegations.

5. PETITIONS

There were no petitions.

**6(a) REPORT NO. 45 - DEVELOPMENT SERVICES COMMITTEE
(October 19, 2015)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 45 – Development Services Committee comprised of 4 items be received and adopted, except Item No. 3. (See following Item No. 3)

**(1) REQUEST FOR DEMOLITION
SINGLE DETACHED DWELLING
27 PRINCESS ST., MARKHAM VILLAGE (16.11)**
[Report](#)

- 1) That the staff report entitled “Request for Demolition – Single Detached Dwelling, 27 Princess Street, Markham Village”, dated October 19, 2015 be received; and,
- 2) That Council endorse the demolition of the non heritage dwelling at 27 Princess Street located within the Markham Village Heritage Conservation District; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

**(2) HERITAGE EASEMENT AGREEMENT FOR
HERITAGE PROPERTY TAX REDUCTION PROGRAM
8965 WOODBINE AVENUE (16.11)**
[Report](#)

- 1) That the staff report titled “Heritage Easement Agreement for Heritage Property Tax Reduction Program, 8965 Woodbine Avenue”, dated October 19, 2015, be received; and,
- 2) That the Mayor and Clerk be authorized to execute a Heritage Easement Agreement with the property owners of 8965 Woodbine Avenue, and any other documents required to give effect thereto, in a form satisfactory to the City Solicitor; and further,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

- (3) RECOMMENDATION REPORT
APPLICATIONS FOR DRAFT PLAN OF SUBDIVISION
AND ZONING BY-LAW AMENDMENT BY
KAI TAK INTERNATIONAL INVESTMENT INC.
TO PERMIT A 32 UNIT LOW RISE RESIDENTIAL DEVELOPMENT
INCLUDING THE RESTORATION OF A HERITAGE DWELLING
AT 9721 KENNEDY ROAD
FILE NO'S: SU/ZA 14 134440 (10.7, 10.5)
[Report](#)

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

- 1) That the Staff report entitled "RECOMMENDATION REPORT, Applications for Draft Plan of Subdivision and Zoning By-law Amendment by Kai Tak International Investment Inc. to permit a 32 unit low rise residential development including the restoration of a heritage dwelling at 9721 Kennedy Road, File No's: SU/ZA 14 134440", be received; and,
- 2) That Draft Plan of Subdivision 19TM-14015, prepared by Evans Planning, revision dated August 10, 2015, be endorsed subject to conditions of draft plan approval set out in Appendix 'A' to this report; and,
- 3) That Draft Plan of Subdivision 19TM-14015, prepared by Evans Planning, revision dated August 10, 2015, be finalized prior to being forwarded to Council for approval; and,
- 4) That servicing allocation for 32 units be assigned to plan of subdivision 19TM-14015; and,
- 5) That the draft plan approval for plan of subdivision 19TM-14015 will lapse after a period of three years commencing on the date of issuance of draft plan approval, in the event that a subdivision agreement is not executed within that period; and,
- 6) That the City reserves the right to revoke or reallocate the servicing allocation should the development not proceed in a timely manner; and,
- 7) That the Region of York be advised of the servicing allocation for this development; and,
- 8) That the draft amendments to Zoning By-laws 304-87 and 177-96 for the subject lands, attached to this report as Appendix 'B', be finalized prior to being enacted by Council; and further,

- 9) That Staff be authorized and directed to do all things necessary to give effect to this resolution.
(By-law 2015-144)

Carried

- (4) NEW BUSINESS
DIGRAM DEVELOPMENTS MARKHAM INC.
REZONING AND SITE PLAN APPLICATIONS
TO PERMIT A TOWNHOUSE DEVELOPMENT
AT 6232 16TH AVENUE FILE NO: ZA/SC 15 244470 (10.5, 10.6)

- 1) That staff be directed to finalize the Zoning By-law for Digram Developments Markham Inc., 6232 16TH Avenue, File No. ZA/SC 15 244470, and once finalized, bring it forward to the next available Council meeting.

Carried

**6(b) REPORT NO. 46 - DEVELOPMENT SERVICES PUBLIC MEETING
(October 20, 2015)**

Moved by Regional Councillor Jim Jones
Seconded by Councillor Don Hamilton

That Report No. 46 – Development Services Public Meeting comprised of 1 item be received and adopted.

- (1) PRELIMINARY REPORT
CORNELL ROUGE DEVELOPMENT CORPORATION
& AURIGA DEVELOPMENTS INC.
OFFICIAL PLAN AMENDMENT APPLICATION
TO PERMIT RESIDENTIAL USES, IN ADDITION TO
OFFICE EMPLOYMENT AND RETAIL USES, WITHIN A
PROPOSED MIXED-USE BUILDING AT THE
NORTHWEST CORNER OF HIGHWAY 7 EAST
AND DONALD COUSENS PARKWAY
FILES OP 13 128934 & OP 13 137282 (10.3)

[Report](#)

- 1) That the written submissions from Tom Cornett and Daniel Wong regarding applications by Cornell Rouge Development Corporation and Auriga Developments Inc., Files OP 13 128934 and OP 13 137282, be received; and,

- 2) That the record of the Public Meeting held on October 20, 2015, with respect to the proposed Official Plan Amendment applications for the lands located at the northwest corner of Highway 7 East and Donald Cousens Parkway, submitted by Cornell Rouge Development Corporation and Auriga Developments Inc., Files OP 13 128934 and OP 13 137282, be received; and,
- 3) That the Official Plan Amendment applications (Files OP 13 128934 and OP 13 137282) submitted by Cornell Rouge Development Corporation and Auriga Developments Inc. to amend the In-force City of Markham Official Plan (revised 1987), as amended and Cornell Secondary Plan (2008), as amended, to permit residential uses in addition to the permitted office and ancillary retail uses within the “Business Park-Area – Avenue 7 Corridor” designation for the lands located at the northwest corner of Highway 7 East and Donald Cousens Parkway, be approved; and,
- 4) That the Official Plan Amendment applications (Files OP 13 128934 and OP 13 137282) submitted by Cornell Rouge Development Corporation and Auriga Developments Inc. to amend the 2014 Official Plan (not yet in force), as amended, to permit residential uses in addition to the permitted office and ancillary retail uses within the “Business Park Office Employment Priority Employment” designation for the lands located at the northwest corner of Highway 7 East and Donald Cousens Parkway, be approved; and,
- 5) That the Official Plan amendment to the In-force Official Plan (Revised 1987), as amended and Cornell Secondary Plan (2008), as amended, be adopted and forwarded to York Region for approval; and further,
- 6) That the Official Plan amendment to the 2014 Official Plan (not yet in force), as amended, be adopted and forwarded to York Region for approval.

Carried

6(c) REPORT NO. 47 - GENERAL COMMITTEE (October 26, 2015)

Moved by Deputy Mayor Jack Heath

Seconded by Councillor Colin Campbell

That Report No. 47 – General Committee comprised of 3 items be received and adopted.

(1) MUNICIPAL LEGISLATION REVIEW
- MUNICIPAL ACT AND MUNICIPAL
CONFLICT OF INTEREST ACT (13.0)

[Report](#) [Attachment A](#) [Attachment B](#) [Attachment C](#)
[Attachment A](#) & [Attachment B](#) – As amended by General Committee

- 1) That the Report entitled “Municipal Legislation Review - Municipal Act and Municipal Conflict of Interest Act” be received; and,
- 2) That Markham City Council endorse the recommendations in Attachment “A” and Attachment “B” as amended at the October 26, 2015 General Committee meeting; and,
- 3) That the City Clerk be authorized to submit Attachment "A" and Attachment "B", as amended, to the Ministry of Municipal Affairs and Housing on behalf of Markham City Council; and further,
- 4) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

(2) HALSTEAD DRIVE
PROPOSED PARKING RESTRICTION (2.17)

[Report](#) [Attachment A](#) [Attachment B](#)

- 1) That the report entitled “Halstead Drive Parking Restriction,” be received; and,
- 2) That Schedule “C” of Parking By-law 2005-188 be amended to restrict parking on the south side of Halstead Drive, from the west property line 57 Halstead Drive to Hollingham Drive, during the hours of 8am – 2pm, Saturday – Sunday only; and,
- 3) That the Operations Department be directed to install the appropriate signs at the subject locations, funded through the Operations Department account # 061-5350-14228-005; and,

- 4) That the Parking Control Department be directed to enforce the parking prohibition upon installation of the signs and passing of the by-law; and further,
- 5) That staff be authorized and directed to do all things necessary to give effect to this resolution.

(By-law 2015-146)

Carried

(3) QUALITY MANAGEMENT SYSTEM OPERATIONAL PLAN
ENDORSEMENT AND MANAGEMENT REVIEW OUTCOMES (5.3)

[Report](#) [Attachment A](#) [Attachment B](#) [Attachment C](#)

- 1) That the report “Quality Management System Operational Plan Endorsement and Management Review Outcomes” be received; and,
- 2) That Council, as the Owner of the City’s drinking water system, acknowledges and endorses the revisions made to the City’s Quality Management System (QMS) Operational Plan; and,
- 3) That the Quality Management System Management Review Outcomes be received; and,
- 4) That Council, as the Owner of the City’s drinking water system, acknowledge and support the outcomes and action items identified from the second 2015 Management Review; and further,
- 5) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Carried

7. MOTIONS

There were no motions.

8. NOTICES OF MOTIONS

(1) ELECTION OF CHAIR OF YORK REGION (13.4)

Moved by Councillor Karen Rea

Seconded by Regional Councillor Nirmala Armstrong

Whereas the Chairperson of the Region of York is one of the most powerful politicians in the Province of Ontario; and,

Whereas the Chairperson position directly impact residents of York Region whether it be through Policing, Regional Planning, Roads, Public Housing, Public Transportation, Water and Sewer Services, Emergency Services or any other Regional service; and,

Whereas the current process whereby the Region of York Council appoints their own Chairperson deprives York Region residents of the opportunity of learning what the platform and/or agenda of the individual(s) running for Chairperson position is; and,

Whereas the City of Markham is committed to accountability and transparency and believes that the Regional Chairperson should be directly accountable to the residents of York Region through the democratic process;

Now therefore be it resolved:

- 1) That the City of Markham indicate its support for Bill 42 – the Municipal Amendment Act (Election of Chair of York Region); and,
- 2) That the City of Markham encourage the Province of Ontario to pass enabling legislation to provide for the election of the Chairperson of York Region by general vote beginning with the 2018 Municipal Election; and further,
- 3) That a copy of this resolution be sent to the Honourable Kathleen Wynne, Premier of Ontario, the Honourable Ted McMeekin, Minister of Municipal Affairs and Housing, Patrick Brown, leader of the Official Opposition, Andrea Horwath, Leader of the NDP, all York Region MPPs and every municipality within York Region.

Note: This motion will be listed on the November 10, 2015 Council Agenda for consideration.

9. COMMUNICATIONS

Moved by Councillor Colin Campbell

Seconded by Councillor Logan Kanapathi

That Council receive and consent to the disposition of communications in the following manner:

Received

57-2015 ROAD CLOSURE REQUEST – REMEMBRANCE DAY PARADE, MAIN STREET MARKHAM, MARKHAM DISTRICT VETERANS ASSOCIATION (3.5)

[Info](#)

The following roads will be closed on November 7, 2015 from 10:00 AM to 11:45 AM to facilitate the event:

- Starts at 7 Washington Street to Centre Street
- West on Centre Street to south of Main Street Markham
- Main Street Markham cross Hwy. 7 to south east corner of Cenotaph
- Cenotaph back to Washington Street

Carried

10. PROCLAMATIONS

There were no proclamations.

11. NEW/OTHER BUSINESS

- (1) NOTICE OF PROPOSED SALE
- PARTS OF BLOCK 102 AND LANE X, ON REGISTERED PLAN 65M-4093,
DESIGNATED AS PARTS 1, 2, 3 AND 4 ON REFERENCE PLAN 65R-35644 (8.7)
[Map](#)

*Notice of Proposed Sale
City of Markham
Proposed Sale of Surplus Real Property
(Pursuant to By-law 178-96)*

Moved by Deputy Mayor Jack Heath
Seconded by Regional Councillor Joe Li

- 1) That the notice of proposed sale for the City of Markham owned lands legally described as follows be confirmed:

"Parts of Block 102 and Lane X, on Registered Plan 65M-4093, designated as Parts 1, 2, 3 and 4 on Reference Plan 65R-35644, City of Markham, Regional Municipality of York."

(In-Camera Item No. 4 – June 23, 2015 Council Meeting)

(By-laws 2015-139 and 2015-140)

Carried

- (2) ROAD CLOSURE - REMEMBRANCE DAY EVENT IN UNIONVILLE (3.5)

Moved by Councillor Don Hamilton
Seconded by Councillor Colin Campbell

- 1) That staff be authorized to take the necessary steps with respect to the road closure for a Remembrance Day Event in Unionville.

Carried

(3) REVIEW OF CITY OF MARKHAM'S SAFE STREET POLICY
(ACCIDENT NEAR DAVID SUZUKI PUBLIC SCHOOL) (5.0)

Mayor Frank Scarpitti, on behalf of Council, expressed condolences to the family impacted by the tragic accident near David Suzuki Public School on October 22, 2015.

Discussion on the matter ensued. Staff advised that an update on the City of Markham's Safe Street Policy will be brought back to a future Standing Committee meeting.

12. BY-LAWS

Moved by Councillor Logan Kanapathi
Seconded by Councillor Alan Ho

That By-laws 2015-139 to 2015-144 and 2015-146 to 2015-148 be given three readings and enacted.

Three Readings

BY-LAW 2015-139 A BY-LAW TO DECLARE CERTAIN LANDS LEGALLY DESCRIBED AS PORTIONS OF REAR LANES DEDICATED BY PLAN OF SUBDIVISION 65M-4093, DESCRIBED AS PARTS OF ROAD ALLOWANCE BLOCK 102, (LANE X), PLAN 65M-4093 MORE PARTICULARLY DESCRIBED AS PARTS 1, 2, 3 AND 4, ON REFERENCE PLAN 65R-35644, CITY OF MARKHAM, REGIONAL MUNICIPALITY OF YORK, TO BE SURPLUS TO MUNICIPAL PURPOSES.

(New/Other Business Item No. 1)

[By-law](#)

Carried

BY-LAW 2015-140 A BY-LAW TO STOP-UP AND CLOSE PORTIONS OF ROAD ALLOWANCE, PARTS OF BLOCK 102 (LANE X), DEDICATED BY PLAN OF SUBDIVISION 65M-4093, MORE PARTICULARLY DESCRIBED AS PARTS 1, 2, 3, AND 4 ON REFERENCE PLAN 65R-35644 CITY OF MARKHAM, REGIONAL MUNICIPALITY OF YORK

(New/Other Business Item No. 1)

[By-law](#)

Carried

BY-LAW 2015-141 AURELIO FILICE, PART LOT CONTROL EXEMPTION BY-LAW

A by-law to designate part of a certain plan of subdivision not subject to Part Lot Control, Blocks 6 and 10, Registered Plan 65M-4447 and Part of Lot 6, Plan 2196, designated as Part 1, Plan 65R-34475, north of Ian Baron Avenue and east of Harry Cook Drive.

[By-law](#)

Carried

BY-LAW 2015-142 ROAD DEDICATION BY-LAW (ROY RAINEY AVENUE)

A by-law to dedicate certain lands as part of the highways of the City of Markham (Part of Lot 20, Concession 7, designated as Part 4, Plan 65R-27886).

[By-law](#)

Carried

BY-LAW 2015-143 CAN-AM EXPRESS, 332 JOHN STREET, ZONING BY-LAW AMENDMENT

A by-law to amend By-law 77-73, as amended, to permit outside parking and storage of licensed buses on a temporary basis.

(Item No. 1, Report No. 42 – September 28, 2015 Council Meeting)

[By-law](#)

Carried

BY-LAW 2015-144 KAI TAK INTERNATIONAL INVESTMENT INC., 9721 KENNEDY ROAD, ZONING BY-LAW AMENDMENTS

A by-law to amend By-law 304-87, as amended, and By-law 177-96, as amended, to permit a plan of subdivision comprised of street-accessed townhouses and semi-detached units.

(Item No. 3, Report No. 45 – October 27, 2015 Council Meeting)

[By-law](#)

Carried

BY-LAW 2015-146 A BY-LAW TO AMEND PARKING BY-LAW 2005-188 (HALSTEAD DRIVE PARKING RESTRICTION)

(Item No. 2, Report No. 47 – October 27, 2015 Council Meeting)

[By-law](#)

Carried

BY-LAW 2015-147 WYKLAND ESTATES INC. (MATTAMY CORNELL CENTRE), NORTH OF HIGHWAY 7 AND EAST OF BUR OAK AVENUE, AMENDMENT TO THE IN FORCE OFFICIAL PLAN (REVISED 1987), AS AMENDED

A by-law to adopt Official Plan Amendment No. 232 to the in force Official Plan (Revised 1987), as amended, to permit the lands to be developed for residential purposes.

(Item No. 1, Report No. 43 – October 13, 2015 Council Meeting)

[By-law](#)

Carried

BY-LAW 2015-148 WYKLAND ESTATES INC. (MATTAMY CORNELL CENTRE), NORTH OF HIGHWAY 7 AND EAST OF BUR OAK AVENUE, ZONING BY-LAW AMENDMENTS

A by-law to amend By-laws 304-87, as amended and 177-96, as amended, to permit the lands to be developed for residential purposes.

(Item No. 1, Report No. 43 – October 13, 2015 Council Meeting)

[By-law](#)

Carried

13. IN-CAMERA ITEMS

Moved by Councillor Don Hamilton

Seconded by Councillor Alan Ho

That, in accordance with Section 239 (2) of the *Municipal Act*, Council resolve into an in-camera session to discuss the following restricted and confidential matters (8:11 PM):

Council – October 27, 2015

- (1) RESTRICTED AND CONFIDENTIAL COUNCIL MEETING MINUTES
- MAY 26, 2015 (16.0)
[SECTION 239 (2) (b)]

General Committee – October 26, 2015

- (2) LABOUR RELATIONS OR EMPLOYEE NEGOTIATIONS
(COLLECTIVE BARGAINING UPDATE) (11.0)
[Section 239 (2) (d)]

Moved by Regional Councillor Jim Jones
Seconded by Councillor Alan Ho

That Council rise from the in-camera session. (10:34 PM)

Carried

The restricted and confidential items were approved by Council as follows:

- (1) RESTRICTED AND CONFIDENTIAL
COUNCIL MEETING MINUTES
- MAY 26, 2015 (16.0)

Moved by Councillor Valerie Burke
Seconded by Councillor Alex Chiu

- 1) That the Restricted and Confidential Council meeting minutes dated May 26, 2015 be confirmed.

Carried

- (2) COLLECTIVE BARGAINING UPDATE (11.0)

Council consented to not report out on this matter.

14. CONFIRMATORY BY-LAW

Moved by Councillor Alex Chiu
Seconded by Councillor Logan Kanapathi

That By-law 2015-145 be given three readings and enacted.

Three Readings

BY-LAW 2015-145 A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL
MEETING OF OCTOBER 27, 2015.
[By-law](#)

Carried

15. ADJOURNMENT

Moved by Councillor Alex Chiu

Seconded by Councillor Valerie Burke

That the Council Meeting be adjourned at 10:34 PM.

Carried

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor

(Signed)